

## **REMARKS**

### **Indefiniteness Rejection**

Claims 1-6 stand rejected under 35 U.S.C. §112, second paragraph, for indefiniteness regarding the recitation of when and/or how the radial beads predispose strain creases to form or when the strain creases form. Each of independent claims 1 and 4 have been amended to recite that the strain creases form in a direction toward the lid perimeter when a pressure differential develops across the lid. Support therefor appears at least at paragraph [0015] of the application as filed, along with Figs. 3 and 4. No new matter has been added and claims 1-6 are now believed to be in compliance with 35 U.S.C. §112.

### **Prior Art Rejections**

- Claims 1-6 stand rejected under 35 U.S.C. §102(b) for anticipation by U.S. Patent No. 5,865,449 to Oblak. Claims 2 and 5 are also rejected under 35 U.S.C. §103(a) for obviousness over the Oblak patent.
- Claims 1-6 stand rejected under 35 U.S.C. §102(b) for anticipation by U.S. Patent No. 5,829,623 to Otsuka et al.

Applicant respectfully traverses these rejections in view of amendments to claims 1 and 4, and for the following reasons.

The present invention is directed to a removable lid for a container. The lid has crimping about its perimeter. A plurality of evenly spaced elongated radial beads is provided in the lid. These radial beads predispose strain creases to form in a direction toward the perimeter of the lid upon application of a pressure differential across the lid. Such a lid, alone or in combination with a container, is not taught or suggested by the cited references.

The Oblak patent discloses a container with a lid (10) having sacrificial depressions (46) formed in the perimeter of the lid (10) as shown in Figs. 3 and 4. These sacrificial depressions (46) are purposefully made to weaken the lid and serve to initiate formation of wrinkles (47) when pressure builds up within the container. The wrinkles form in a specific controlled manner from the perimeter of the lid toward the center of the lid. As such, the lid of the Oblak patent does not teach or suggest the claimed lid with radial beads that predispose strain creases to form in a direction toward the lid perimeter when a pressure differential develops across the lid. The opposite effect happens with the sacrificial

depressions (46). Upon application of a pressure differential across the lid of the Oblak patent, strain creases (wrinkles) form in a direction away from the lid perimeter. In addition, the radial beads that form the strain creases in the present invention are spaced at a position apart from the perimeter of the lid. These sacrificial depressions (46) of the Oblak lid are positioned at the perimeter of the lid. Accordingly, for all these reasons, the claimed invention of providing radial beads at a position spaced apart from the perimeter of the lid, wherein the beads predisposes strain increases to form in a direction toward the lid perimeter is not taught or suggested by the Oblak patent. Claims 1-6, as amended, define thereover.

The Otsuka patent discloses a can lid (1), which includes two beads (17) that provide a buckling of the lid upon application of stress to the lid. The beads (17) disposed on the lid (1) of the Otsuka patent may be positioned around the perimeter of the lid (Fig. 2), or as an arc that extends between perimetral locations of the lid (Fig. 3). As shown in Figs. 5 and 6, the beads (17) may be in the form of arc-shaped or linear beads, with one end thereof positioned at a peripheral groove (2) of the lid and the other end directed toward the center of the lid. In each of these embodiments, buckling of the can lid occurs at the ends (18 and 19) of the respective beads (17).

None of these embodiments of Otsuka include an elongated radial bead that extends from a position adjacent the center of the lid to a position spaced apart from the perimeter of the lid where the bead predisposes strain creases to form in a direction toward the lid perimeter upon application of a pressure differential across the lid. See Fig. 4 of the present application, illustrating beads (450) and the strain creases that form between the end of the beads and the perimeter of the lid at (440).

At most, Figs. 5 and 6 of Otsuka disclose radial beads that are positioned at the perimeter of the lid and extend toward the center of the lid. However, the beads do not extend from a position adjacent the center of the lid to a position spaced apart from the perimeter of the lid so that a strain crease can form in the gap between the end of the bead closest to the lid perimeter and the lid perimeter itself. No such strain creases can be formed in the lid of the Otsuka patent because there is no gap between the ends of beads (17) and the lid perimeter which could provide for strain creases to form in a direction toward the lid perimeter. As such, the Otsuka patent does not teach or suggest a lid having elongated radial beads that are positioned at positions spaced apart from the perimeter of the lid, such that

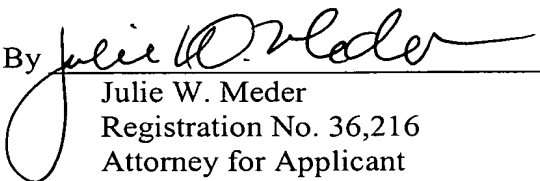
Application No. 10/789,464  
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Attorney Docket No. 1066-040480

strain creases form in a direction toward the lid perimeter. Accordingly, claims 1-6 define thereover.

In view of the amendments to claims 1 and 4, and for the forgoing reasons, claims 1-6 are believed to define over the prior art of record and be in condition for allowance.

Respectfully submitted,

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